

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

INNOBAND, INC.,
a Texas Corporation

Plaintiff,

V.

ASO Corp,
a Florida Corporation

Defendant.

No. 2:10-cv-191

TRIAL BY JURY DEMANDED

COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff, INNOBAND, INC., by its attorneys, hereby complains against
Defendant, ASO Corp as follows:

I.

The Parties

1. Plaintiff, INNOBAND, INC. (“INNOBAND”) is a Texas Corporation with its principal place of business at 911 NW Loop 281, Suite 211-38, Longview, Texas 75604.

2. Defendant, ASO Corp (“ASO”) is, on information and belief, a corporation established under the laws of Florida, with its principal place of business at 300 Sarasota Center Blvd., Sarasota, Florida 34240 USA and is doing business in this judicial district and is engaged in the business of selling consumer first aid products, from which it generates substantial revenue.

II.

Jurisdiction and Venue

3. This Court has jurisdiction over the subject matter of this action under 28 U.S.C. §§1331 and 1338(a) because this action arises under the Patent Laws of the United States, 35 U.S.C. §1, et seq.

4. Venue properly lies in the Eastern District of Texas pursuant to 28 U.S.C. §1391(b) and (c) because a substantial part of the events giving rise to these claims occurred in this District, INNOBAND maintains a principle place of business in this district, and ASO is subject to personal jurisdiction in this District.

III.

Claims Related to the '071 Patent

5. INNOBAND is the owner of United States Patent Number 7,626,071 ("the '071 Patent"). A True and correct copy of the Patent as issued is attached hereto as Exhibit A.

6. The '071 Patent is the result of pioneering research and development conducted in the consumer first aid products field, and in particular, the area of adhesive bandages. The inventions disclosed by the '071 Patent has been incorporated by ASO into its product lines, such as, for example, in its ASO QwikstripTM Adhesive Bandages.

7. It has been reported by ASO that it generated substantial revenue related to the sale of adhesive bandages alone.

8. ASO has been infringing the '071 Patent by selling bandages that are covered by and claimed in the '071 Patent in violation of 35 U.S.C. §271, with resultant damage to INNOBAND.

IV.

Relief

WHEREFORE, the Plaintiff, INNOBAND, L.L.C., prays:

- (a) for the entry of judgment holding that the '071 Patent is good and valid in law, and infringed by the Defendant;
- (b) for a preliminary and injunction preventing the Defendant from committing any further act of infringement;
- (c) for an award of damages adequately to compensate INNOBAND for the past infringement of the '071 Patent by the Defendant, together with interest and costs as fixed by the Court; and
- (d) such other relief as the Court deems proper and just.

V.

DEMAND FOR JURY TRIAL

Pursuant to Federal Rules of Civil Procedure Rule 38, Plaintiff INNOBAND hereby demands a jury trial on all issues triable by jury.

Dated: June 7, 2010

Respectfully submitted,

/s/ Elizabeth L. DeRieux
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